

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

August 3, 2001

MEMORANDUM

SUBJECT: State and Tribal Review of the Draft Grant Guidance for the Proposed FY 2002 Enforcement Grant Program

FROM: Sylvia K. Lowrance /S/
Acting Assistant Administrator

TO: Acting Regional Administrators, Regions I-V and VII-X
Regional Administrator, Region VI
Acting Deputy Regional Administrators, Regions I-V and VII-X
Deputy Regional Administrator, Region VI
Regional Counsel, Regions I-X
Regional Enforcement Divisions Directors and Coordinators, Regions I-X
Robert E. Roberts, Executive Director, ECOS
Chair, ECOS Compliance Committee

As announced on Monday, April 9, the President's Budget for FY 2002 includes \$25 million for grants to state and tribal environmental enforcement programs. This grant program will benefit our national environmental enforcement program by providing states much needed funds to enhance their programs. In a memo dated April 30, 2001 (entitled "Discussions with States and Tribes Regarding Proposed FY 2002 Enforcement Grant Program"), the Regions were asked to hold discussions with state and tribal officials about an option framework paper attached to the memo. Further, the Regions were asked to ensure that state and tribal comments were received by headquarters by May 25, 2001.

Comments were received from 46 states, 15 tribes, and many national associations and groups representing state and tribal interests. All the comments have been reviewed and they were very helpful in shaping the design of the proposed grant program.

The purpose of this memo is to initiate a 30-day review of draft guidance by the states and tribes. Attached please find (1) a short overview of the proposed enforcement grant program, which can be used as a communication tool about the program, and (2) the draft "FY 2002 State and Tribal Enforcement Grant Program Guidance."

The following lays out details about the review of the draft grant guidance, and timing of the review.

Regional Consultation

I would like the Regions to conduct discussions with state environmental, agricultural, and (if relevant) public health agencies about the features of the proposed program. In addition, Regions also need to consult with tribal representatives about their needs and preferences regarding this program. Your discussions can take any form you choose – individual or collective meetings, conference calls, etc. – but the discussions should provide feedback that can be used to develop final guidance in September. I would like you to provide that feedback no later than **Wednesday, September 5, 2001** to Michael Stahl, OECA's Acting Principal Deputy Assistant Administrator.

Headquarters Role

At the same time, headquarters will renew discussions with representatives of national state and tribal associations and various external stakeholders. The headquarters discussions will also conclude by September 5 so that feedback from the regional and headquarters discussions can be analyzed in early September.

Conclusion

As you are probably aware, the House Appropriations Bill includes the \$25 million for the enforcement grant program, while the Senate Appropriations Bill does not. Thus, funding for the grant program is likely to be an issue resolved in an Appropriations Conference Committee between the House and Senate.

If you have further questions about the review of the guidance, or about the grant program generally, please contact Michael Stahl at (202) 564-2280 or Nick Franco of his staff at (202) 564-0113.

Attachments

cc:	Mark Coleman	Pete Pagano
	Linda Fisher	Brenda Greene
	Eileen McGinnis	OECA Office Directors
	Bryan Symmes	Dennis Devoe
	John Spinello	John Warren
	Ed Krenik	Mark Badalamente
	Lisa Lund	Nick Franco
	Michelle Hiller	Fred Stiehl